

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOHNNY WILLIE JONES,</b>	:	
<b>Petitioner</b>	:	<b>CIVIL ACTION NO. 3:22-0426</b>
<b>v</b>	:	<b>(JUDGE MANNION)</b>
<b>HERMAN QUAY,</b>	:	
<b>Respondent</b>	:	

**MEMORANDUM**

**I. Background**

On February 22, 2022, Petitioner, Johnny Willie Jones, a former inmate confined in the Allenwood United States Penitentiary, White Deer, Pennsylvania, filed the above captioned petition for writ of habeas corpus, pursuant to [28 U.S.C. §2241](#), in the United States Court for the District of South Carolina. (Doc. [1](#), petition). By Order dated March 21, 2022, the action was transferred to the United States District Court for the Middle District of Pennsylvania, (Doc. [6](#)), where it was received and filed on March 22, 2022. (Doc. [9](#)).

Petitioner's claim states in full that "[no] judge can send anyone to prison" because "[t]hey have no oath of office nor is there is no United States Government". (Doc. [1](#) at 2). For relief, Jones requests "immediate release."

(Doc. [1](#) at 7). However, a review of the Federal Bureau of Prisons Inmate Locator reveals that Jones was released from custody on November 4, 2022.

See <https://www.bop.gov/inmateloc/>.

For the reasons set forth below, the instant petition will be dismissed as moot.

## **II. Discussion**

The case or controversy requirement of Article III, §2 of the United States Constitution subsists through all stages of federal judicial proceedings. Parties must continue to have a “personal stake in the outcome of the lawsuit.” [Lewis v. Continental Bank Corp., 494 U.S. 472, 477–78 \(1990\)](#); [Preiser v. Newkirk, 422 U.S. 395, 401 \(1975\)](#). In other words, throughout the course of the action, the aggrieved party must suffer or be threatened with actual injury caused by the defendant. [Lewis, 494 U.S. at 477](#).

The adjudicatory power of a federal court depends upon “the continuing existence of a live and acute controversy.” [Steffel v. Thompson, 415 U.S. 452, 459 \(1974\)](#) (emphasis in original). “The rule in federal cases is that an actual controversy must be extant at all stages of review, not merely at the time the complaint is filed.” [Id.](#) at n.10 (citations omitted). “Past exposure to illegal conduct is insufficient to sustain a present case or

controversy ... if unaccompanied by continuing, present adverse effects.” [Rosenberg v. Meese, 622 F.Supp. 1451, 1462 \(S.D.N.Y. 1985\)](#) (citing [O’Shea v. Littleton, 414 U.S. 488 \(1974\)](#)). “[A] petition for habeas corpus relief generally becomes moot when a prisoner is released from custody before the court has addressed the merits of the petition.” [Lane v. Williams, 455 U.S. 624, 631 \(1982\)](#).

In the instant case, because Jones has been released from custody, and has been afforded the relief he seeks, his habeas petition has been rendered moot. See [Rodriguez-Leon v. Warden, 602 F. App’x 854 \(3d Cir. 2015\)](#); [Scott v. Schuylkill FCI, 298 F. App’x 202 \(3d Cir. 2008\)](#); [Scott v. Holt, 297 F. App’x 154 \(3d Cir. 2008\)](#).

### III. Conclusion

For the reasons stated above, the petition for a writ of habeas corpus will be **DISMISSED** as moot. An appropriate order will follow.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
**United States District Judge**

**Date: January 6, 2023**

22-0426-01